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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,747	12/27/2000	Alma K. Schurig	021180-2.10	1897

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EXAMINER

MUNOZ, GUILLERMO

ART UNIT	PAPER NUMBER
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2634

8

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,747

Applicant(s)

SCHURIG, ALMA K.

Examiner

Guillermo Munoz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-17, 22-27, 29-45 is/are rejected.
- 7) ☒ Claim(s) 5-8, 18, 19 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it exceeds the range of 150 words.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 9, 22, 23 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Stemmons et al. (cited in IDS, paper number 7).

Regarding claim 1, Stemmons et al. disclose an Interconnecting Apparatus which teaches all the claimed subject matter "a first cable...with the converter" in claim 1 as follows. The first cable is anticipated by the twisted pair interface element 50 of figure 3, note Col.3, line 58. The

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converter is anticipated by device 30 of figure 3. The second cable is anticipated by BNC A and B interface on figure 3 elements 60 and 62, respectively.

Regarding claim 2, Stemmons et al. further teach the claimed subject matter in figure 3, elements 34 and 36.

Regarding claim 3, Stemmons et al. further teach the claimed subject matter in figure 3, element 50.

Regarding claim 4, Stemmons et al. further teach the claimed subject matter in figure 3, elements 60 and 62.

Regarding claim 9, Stemmons et al. do not explicitly teach "outer shield", however, the functionality of the housing of aluminum is the same, note Col. 3, lines 10-11.

Regarding claim 22, see claim 1.

Regarding claim 23, Stemmons et al. further teach the claimed subject matter in figure 3, element 48.

Regarding claim 29, Stemmons further teach the claimed subject matter in Col. 1, lines 29-33.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 24-25, 27, 31, 32, and 34-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stemmons et al. in view of Fisher et al. (cited in IDS, paper number 6).

Regarding claim 27, Stemmons et al. disclose all the subject matter claimed, note claim 1 rejection above, except Stemmons et al. does not explicitly state their system's coaxial cable is used for the transmission of power.

Fisher et al. disclose a Power Transfer Apparatus For Concurrently Transmitting Data And Power Over Data Wires. Fisher et al. teach a power and data coupler having a data input, power source input and a combined data and power source output that it transmitted over a network coaxial cable, note Col. 3, 64-67 and figure 1, elements 110 and 107.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Stemmons et al. Interconnecting Apparatus with Fisher et al.'s teaching of combining both data and power signals onto a single network cable, since Fisher et al. suggest in Col. 1, lines 66-67, that the result of this modification would reduce cost of installation.

Regarding claim 10, see claim 27.

Regarding claim 24; as applied in claim 27, Fisher et al. further teach the claimed subject matter in figure 1, element 170.

Regarding claim 25; as applied in claim 27, Fisher et al. further teach the claimed subject matter in figure 1, element 150.

Regarding claim 31, see claim 24.

Regarding claim 32, Fisher et al. do not explicitly teach “outer shield”, however, the functionality of the Power and Data Decoupler is the same, note figure 1, element 170.

Regarding claim 34, Fisher et al. further teach the claimed subject matter in figure 4, element 455.

Regarding claim 35, see claim 27.

Regarding claim 36, see claim 32.

Regarding claim 37, see claim 3.

Regarding claim 38, Fisher et al. further teach the claimed subject matter in figure 4, element 410.

Regarding claim 39, see claim 38.

Regarding claim 40, Fisher et al. further teach the claimed subject matter in figure 1, element 150.

Regarding claim 41, Fisher et al. further teach the claimed subject matter in figure 4, element 451.

Regarding claim 42, Fisher et al. further teach the claimed subject matter in figure 4, element 110.

Regarding claim 43, see claim 23.

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Claims 11-15, 26, 30, and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stemmons et al. in view of Anderson et al. (US Patent 6,667,967 B1).

Regarding claim 12, Stemmons et al. teach almost all the claimed subject matter in claim 12, except Stemmons et al. fail to teach a switch in electrical communication with the first converter...configured to receive and switch differential data.

Anderson et al. teach a Neighborhood Area Network having one or more multi-port switches, which are configured to truncate broadcast data, note Col. 4, lines 7-12. Anderson et al. teach that bridges filter out broadcast data and are in communication with hub stations, which convert from coaxial to twisted pair cable, note Col. 4, lines 20-24.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Stemmons et al.'s Interconnecting Apparatus with Anderson et al.'s NAN multi-port switch, since Anderson et al. suggest in Col. 4, lines 51-60, that the modification would allow traffic to be directly routed to neighbor communications, without the need for broadcasting.

Regarding claim 11, Anderson further teach the claimed subject matter, note figure 1, element 24.

Regarding claim 13, see claim 3.

Regarding claim 14, Anderson et al. further teach the claimed subject matter, note figure 3, elements 26 and 50.

Regarding claim 15, Anderson et al. further teach the claimed subject matter, note figure 3, elements 26.

Regarding claim 26, see claim 11.

Regarding claim 30, see claim 11.

Regarding claim 44, see claim 11.

Regarding claim 45, Anderson et al. further teach the claimed subject matter, note figure 3, element 50, and Col.4, lines 7-12.

Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stemmons et al. in view of Anderson et al. and Fisher et al.

Regarding claim 16, as applied to claim 12, Stemmons et al. disclose all the subject matter claimed, note claim 1 rejection above, except Stemmons et al. does not explicitly state their system's coaxial cable is used for the transmission of power.

Fisher et al. disclose a Power Transfer Apparatus For Concurrently Transmitting Data And Power Over Data Wires. Fisher et al. teach a power and data coupler having a data input, power source input and a combined data and power source output that it transmitted over a network coaxial cable, note Col. 3, 64-67 and figure 1, elements 110 and 107.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Stemmons et al. Interconnecting Apparatus with Fisher et al.'s teaching of combining both data and power signals onto a single network cable, since Fisher et al. suggest in Col. 1, lines 66-67, that the result of this modification would reduce cost of installation.

Regarding claim 17, Anderson et al. further teach the claimed subject matter in figure 2, element 106.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 33 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 33, the variable "NAN" is critical or essential to the practice of the invention, but not defined in the claim(s) and is not enabled by the disclosure. It is suggested the phrase "Neighborhood Area Network" be inserted after the variable "NAN".

Claim Objections

Claims 5-8, 18-21, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Munoz whose telephone number is 703-305-4224. The examiner can normally be reached on Monday-Friday 8:30a.m-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GM
June 24, 2004

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